

**REMARKS**

Reconsideration is requested.

Claim 13 has been revised, without prejudice, to advance prosecution. Support for the claim revisions may be found throughout the specification, such as page 8, lines 15-24 of the specification. Support for the revisions to claim 25 may be found throughout the specification, such as at page 8, lines 35-37.

Claims 18, 24 and 33-36 have been canceled, without prejudice. Claims 13-17, 19-23 and 25-32 are pending.

The objection to claims 33 and 34 is moot in view of the above.

The Section 112, second paragraph, rejection of claims 17, 21, 22, 25, 27, 31, 32, 35 and 36 is obviated by the above amendments. Reconsideration and withdrawal of the rejection are requested in view of the above.

The Section 103 rejection of claims 13-36 over Ferrarini (EP 1,236,795), Salgues (1986, J. Food Sci. 51(5):1191-1194), is obviated by the above amendments. Reconsideration and withdrawal of the rejection are requested in view of the above and the following distinguishing comments.

The claims require the use of yeast previously enriched with glutathione which is introduced into the must in the form of inactive dry yeast or active dry yeast at the beginning of, during or after the alcoholic fermentation step of the wine preparation; or the use of yeast previously enriched with glutathione which is introduced into the must in a single inoculation before alcoholic fermentation.

Ferrarini does not describe introduction of glutathione enriched yeast. Moreover, Ferrarini describes supplementation of wine, after the fermentation process, with an active yeast paste (LPA) as a critical element of the disclosed process.

Specifically, the reference teaches the following (emphasis added):

[0044] In Figure 1 are shown the results of this test. They show that the treatment with active paste yeast (LPA) improves the characteristics of the product, and by contrast the same yeast in the dry state does not produce the same improvements but rather the value of the sum of the grades indicated shows a downright deterioration in the sensory characteristics.

[0045] The other products all produced a deterioration in the sensory characteristics of the wines. In fact, in the various different treatments from that with active paste yeast there is always evidence a note of "yeasty-bread" smell with the loss of fruity and floral sensations. Such phenomenon was particularly accentuated in the case of products derived from yeast (extract, lysate and peel).

[0046] Therefore, experience has shown that the use of active past yeast (LPA) is essential in order to obtain the above-hypothesised advantages.

Ferrarini therefore teaches away from the presently claimed invention. The cited secondary reference fails to cure the deficiencies of Ferrarini. One of ordinary skill in the art would not have been led to have made the claimed invention from the negative teachings of the cited art. Withdrawal of the Section 103 rejection is requested.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required.

Anne ORTIZ-JULIEN  
Appl. No. 10/586,667  
Atty. Ref.: 1721-122  
Amendment  
Monday, May 9, 2011

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:                     /B. J. Sadoff/                      
B. J. Sadoff  
Reg. No. 36,663

BJS:  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100